

# EXHIBIT A

**INDEX OF DOCUMENTS FROM STATE COURT ACTION**

1. *Lucreasha McKinney v. Fiserv CIR d/b/a Fiserv Inc. and Randstad Professionals US, LLC d/b/a Randstad*, Cause No. 18-DCV-249313, in the 240th Judicial District Court of Fort Bend County, Texas
2. Plaintiff's Original Petition, filed March 2, 2018.
3. Citation Issued to Randstad Professional US, LLC on March 5, 2018.
4. Officer's Return as to Randstad Professional US, LLC, filed on March 20, 2018.
5. Officer's Return as to Fiserv, filed on March 20, 2018.

**REGISTER OF ACTIONS****CASE NO. 18-DCV-249313****Lucreasha McKinney vs Fiserv, Cir D/B/A Fiserv, Inc and Randstad Professionals Us, LLC d/b/a Randstad**§  
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§Case Type: **Injury or Damage - Other Injury or Damage**  
Date Filed: **03/02/2018**  
Location: **240th District Court****PARTY INFORMATION****Defendant or Respondent** **Fiserv, Cir *Doing Business As* Fiserv, Inc.**  
Austin, TX 78701**Attorneys****Defendant or Respondent** **Randstad Professionals Us, LLC *Doing Business As* Randstad**  
Austin, TX 78701**Plaintiff or Petitioner** **McKinney, Lucreasha**  
Houston, TX 77047**Jason Edwin Payne**  
*Retained*  
(713) 223-5100(W)**EVENTS & ORDERS OF THE COURT****OTHER EVENTS AND HEARINGS**

03/02/2018	<a href="#">Petition</a>	<b>Doc ID# 1</b>		
	<i>Plaintiff's Original Petition</i>			
03/05/2018	<a href="#">Issuance</a>	<b>Doc ID# 2</b>		
	<i>Citation Issued to Fiserv, Cir</i>			
03/05/2018	<b>Citation</b>			
	eService			
	Fiserv, Cir	Served	03/12/2018	
		Returned	03/20/2018	
03/05/2018	<a href="#">Issuance</a>	<b>Doc ID# 3</b>		
	<i>Citation Issued to Randstad Professionals Us, LLC</i>			
03/05/2018	<b>Citation</b>			
	eService			
	Randstad Professionals Us, LLC	Served	03/12/2018	
		Returned	03/20/2018	
03/20/2018	<a href="#">Officers Return</a>	<b>Doc ID# 4</b>		
	<i>Return of Citation Issued to Randstad Professionals US, LLC 3-5-18</i>			
03/20/2018	<a href="#">Officers Return</a>	<b>Doc ID# 5</b>		
	<i>Return of Citation Issued to Fiserv, Cir 3-5-18</i>			

**FINANCIAL INFORMATION**

	<b>Plaintiff or Petitioner</b>	McKinney, Lucreasha	
	Total Financial Assessment		312.00
	Total Payments and Credits		312.00
	<b>Balance Due as of 04/11/2018</b>		<b>0.00</b>
03/02/2018	Transaction Assessment		310.00
03/02/2018	E-filing	Receipt # 2018-14186-DCLK	McKinney, Lucreasha (310.00)
03/20/2018	Transaction Assessment		2.00
03/20/2018	E-filing	Receipt # 2018-18001-DCLK	McKinney, Lucreasha (2.00)

**18-DCV-249313**

CAUSE NO. \_\_\_\_\_

**LUCREASHA MCKINNEY,**  
**Plaintiff**

v.

**FISERV, CIR D/B/A FISERV, INC. AND**  
**RANDSTAD PROFESSIONALS US, LLC**  
**d/b/a RANDSTAD**  
**Defendants.**

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**IN THE DISTRICT COURT****FORT BEND COUNTY, TEXAS**

Fort Bend County - 240th Judicial District Court

\_\_\_\_\_  
**JUDICIAL DISTRICT****PLAINTIFF'S ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, LUCREASHA MCKINNEY, hereinafter sometimes referred to as "Plaintiff," complaining of FISERV, CIR D/B/A FISERV, INC. and RANDSTAD PROFESSIONALS US, LLC D/B/A RANDSTAD, hereinafter sometimes referred to as "Defendants," and files this Plaintiff's Original Petition, and for cause of action would show to the Court as follows:

I.

**PARTIES**

Plaintiff, Lucreasha McKinney, is an individual who is a resident citizen of Harris County, Texas.

DEFENDANT, FISERV, CIR D/B/A FISERV, INC is a Delaware Corporation that may be served through its registered agent Corporation Service Company D/B/A CSC-Lawyers Inc., Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701.

Defendant, RANDSTAD PROFESSIONALS US, LLC D/B/A RANDSTAD is a Delaware Corporation that may be served through its registered agent Corporation Service Company D/B/A

Plaintiff's Original Petition

CSC-Lawyers Inc., Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701.

II.

DISCOVERY

Discovery is intended to be conducted under Level 2 under Rule 190 of the Texas Rules of Civil Procedure.

III.

MISNOMER/ALTER-EGO

In the event any parties are misnamed or are not included herein, it is Plaintiffs' contentions that such was a "misidentification," "misnomer," and/or such parties are/were "alter egos" of parties named herein. Alternatively, Plaintiff contends that such "corporate veils" should be pierced to hold such parties properly included in the interest of justice.

IV.

FACTS

On or about March 3, 2016, Plaintiff was at work while six months pregnant when she slipped and fell on a piece of plastic at Fiserv's facility located at 13100 North Promenade Boulevard, Stafford in Fort Bend County, Texas. As of the result of the aforementioned slip and fall, Plaintiff suffered immense bodily harm, discomfort, hospitalization and lingering effects. This incident, and the injuries resulting therefrom, was proximately caused by the negligent acts and/or omissions of Defendants acting through its agents, servants, employees and/or representatives.

V.

CAUSES OF ACTION

In addition to Defendant accepting and assuming the duty to provide a safe environment for the Plaintiff, as a reasonable and prudent premises owner would do under the same or similar Plaintiff's Original Petition

circumstances, the Plaintiff was on the Defendant's premises as an invitee. As such, the Defendants owed a duty to exercise reasonable care to protect the Plaintiff from unreasonably dangerous conditions on the property, including the reasonably foreseeable conduct of the employees and/or owner on the premises, and to warn the Plaintiff of the existence of unreasonably dangerous conditions on the premises. The Defendants failed to exercise these duties and as a result, Plaintiff was exposed to significant harm which resulted in Plaintiff receiving severe injuries throughout her body.

The negligence of the Defendants caused the Plaintiff to sustain injuries to her body, and inflicted significant emotional distress, anxiety and worry to the Plaintiff.

Plaintiff hereby incorporates each of the foregoing paragraphs herein as if set forth in full in this section.

Defendant's negligent acts and/or omissions include, but are not limited to:

1. Failing to maintain said premises in a reasonable condition;
2. Failing to hire the proper personal in order to maintain said premises in a safe manner;
3. Failing to terminate unqualified personnel in order to ensure the premises is maintained in a safe manner;
4. Failing to properly supervise its agents, servants, employees and/or representatives;
5. Failing to properly train its agents, servants, employees and/or representatives;
6. Failing to inspect said premises;
7. Failing to make reasonable custodial services;
8. Failing to make necessary repairs to its equipment and/or premises; and
9. Failing to properly warn of a dangerous condition of said premises.

Plaintiff's Original Petition

The above and foregoing acts and/or omissions were a proximate cause of Plaintiff's injuries and damages and were committed and/or omitted by Defendants, their agents, servants, and/or employees in the course and scope of their agency, representation or employment with Defendants.

## VI.

### DAMAGES

As a result of the injuries Plaintiff sustained as a result of the incident made the basis of this suit, Plaintiff has incurred necessary hospital and medical expenses and will continue to incur medical expenses in connection with said injuries for an undetermined length of time in the future.

Plaintiff would further show that as a result of the negligence of the Defendants, and the injuries to Plaintiff caused solely by the said negligence of said Defendants, Plaintiff has experienced extreme physical pain, suffering and mental anguish; and, in all probability, will be forced to endure physical pain, suffering, and mental anguish for an undetermined length of time in the future and probably for the rest of Plaintiff's life.

These damages suffered by Plaintiff include, but are not limited to the following:

- a. Pain and suffering in the past;
- b. Pain and suffering in the future;
- c. Mental anguish in the past;
- d. Mental anguish in the future;
- e. Past Medical Expenses;
- f. Future Medical Expenses;
- g. Physical impairment in the past;

- h. Physical impairment in the future;
- i. Physical disfigurement in the future;
- j. Disability in the past;
- k. Disability in the future and
- l. Lost wages and/or household.

VII.

JURY DEMAND

Plaintiffs hereby request a jury trial in this matter.

VIII

RULE 193.7 NOTICE

Pursuant Texas Rule of Civil Procedure 193.7 Plaintiff intends to use all of Defendants' discovery responses as evidence at trial in accordance with such right and privileges.

IX.

DISCLOSURE REQUEST

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, all Defendants are requested to disclose, within 50 days of service of this request, the information or material described in Rule 194.2 of the Texas Rules of Civil Procedure.

X.

Due to the facts alleged, Plaintiff has suffered and sustained damages in excess of the minimum jurisdictional requirements of this Court.

XI.

Plaintiff also asserts a claim for prejudgment interest for all elements of damages that such Plaintiff's Original Petition



interest is allowed.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants be cited to appear and answer herein as the law directs; that upon final hearing, Plaintiff recover judgment against the Defendants including costs of court, interest at the highest legal rate from date of judgment until paid, and for such other and further relief, both general and special, at law and in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

**THE PAYNE FIRM, P.C.**

/s/ THERESE MATHERS

JASON E. PAYNE

State Bar No. 24037251

*JPayne@paynelawfirm.com*

THERESE MATHERS

State Bar No. 24092773

*TMathers@paynelawfirm.com*

The Payne Firm, P.C.

2900 Smith Street, Suite 200

Houston, TX 77006

Telephone: (713) 223-5100

Facsimile: (713) 222-0794

**ATTORNEYS FOR PLAINTIFF**

**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

TO: FISERV, CIR  
D/B/A FISERV INC  
C/O CORPORATION SERVICE COMPANY  
D/B/A CSC-LAWYERS INC SERVICE COMPANY  
211 EAST 7TH STREET SUITE 620  
AUSTIN TX 78701

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S ORIGINAL PETITION** filed on **March 02, 2018**, a default judgment may be taken against you.

The case is presently pending before the **240TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **18-DCV-249313** and is styled:

**LUCREASHA MCKINNEY VS FISERV, CIR D/B/A FISERV, INC AND RANDSTAD PROFESSIONALS  
US, LLC D/B/A RANDSTAD**

The name and address of the attorney for **PLAINTIFF** is:

**JASON EDWIN PAYNE  
THE PAYNE FIRM PC  
2900 SMITH STREET STE 200  
HOUSTON TX 77006  
(713) 223-5100**

The nature of the demands of said **PLAINTIFF** is shown by a true and correct copy of the **PLAINTIFF'S ORIGINAL PETITION** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, **on this the 5th day of March, 2018.**

**ANNIE REBECCA ELLIOTT, DISTRICT CLERK  
FORT BEND COUNTY, TEXAS**

Physical Address:

1422 Eugene Heimann Circle, Room 10142  
Richmond, Texas 77469

Mailing Address:

301 Jackson Street  
Richmond, Texas 77469

By: \_\_\_\_\_

Deputy District Clerk LAYLA HELTON  
Telephone: (281) 633-7635



18-DCV-249313

240th Judicial District Court

Lucreasha McKinney vs Fiserv, Cir D/B/A Fiserv, Inc and Randstad Professionals Us, LLC d/b/a Randstad

**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Executed at \_\_\_\_\_, within the County of \_\_\_\_

\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M\* on the \_\_\_\_\_ day of \_

\_\_\_\_\_, 20\_\_, by delivering to the within named \_\_\_\_\_

\_\_\_\_\_, in person, a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving \_\_\_\_ citation at \$80.00 each \$ \_\_\_\_\_

\_\_\_\_\_  
Name of Officer or Authorized Person

\_\_\_\_\_  
County, Texas

By: \_\_\_\_\_  
Signature of Deputy or Authorized Person

\*State day and hour and place of serving each person.

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is \_\_\_\_\_,  
(First, Middle, Last)

my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_  
(Street, City, Zip)

\_\_\_\_\_  
"

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the  
day of \_\_\_\_\_.

\_\_\_\_\_  
Declarant / Authorized Process Server

\_\_\_\_\_  
(Id # & expiration of certification)

**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK** THE STATE OF TEXAS

**CITATION**

**TO: FISERV, CIR  
D/B/A FISERV INC  
C/O CORPORATION SERVICE COMPANY  
D/B/A CSC-LAWYERS INC SERVICE COMPANY  
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301 Jackson Street  
Richmond, Texas 77469

By: 

Deputy District Clerk **LAYLA HELTON**  
Telephone: (281) 633-7635



**SERVICE**

18-DCV-249313

240th Judicial District Court

Lucreasha McKinney vs Fiserv, Cir D/B/A Fiserv, Inc and Randstad Professionals Us, LLC d/b/a Randstad

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(Id # & expiration of certification)

**SERVICE**



**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK****THE STATE OF TEXAS****CITATION**

**TO: RANDSTAD PROFESSIONALS US, LLC  
D/B/A RANDSTAD  
C/O CORPORATION SERVICE COMPANY  
D/B/A CSC-LAWYERS INC SERVICE COMPANY  
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Physical Address:

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Mailing Address:

301 Jackson Street  
Richmond, Texas 77469

By: 

Deputy District Clerk LAYLA HELTON  
Telephone: (281) 633-7635



CAUSE NO. 18-DCV-249313

LUCREASHA MCKINNEY

Plaintiff,

VS.

FISERV, CIR D/B/A FISERV, INC. AND RANDSTAD  
PROFESSIONALS US, LLC d/b/a RANDSTAD

Defendant.

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IN THE DISTRICT COURT OF

FORT BEND COUNTY TEXAS,

240TH JUDICIAL DISTRICT

AFFIDAVIT OF SERVICE

On this day personally appeared **Corrina Hart** who, being by me duly sworn, deposed and said:

"The following came to hand on **March 9, 2018** at **5:58 pm**,

CITATION, PLAINTIFF'S ORIGINAL PETITION,

and was executed at **211 EAST 47TH STREET STE 620, AUSTIN, TX 78701** within the county of **TRAVIS** at **10:40 AM** on **Mon, Mar 12 2018**, by delivering a true copy to the within named


**RANDSTAD PROFESSIONALS US, LLC D/B/A RANDSTAD C/O CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS  
INC SERVICE COMPANY BY SERVING SUE VERTREES, AUTHORIZED TO ACCEPT**

in person, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."

My name is **Corrina Hart**, my date of birth is [REDACTED], and my address is **P.O. Box 141303, Austin, TX 78714**, and **United States of America**. I declare under penalty of perjury that the foregoing is true and correct.

Executed in **Travis** County, State of **TX**, on **March 13, 2018**.

  
\_\_\_\_\_  
Corrina Hart  
PSC10838 EXP 03/31/2020  
Travis County, TX

**SERVICE FEE NOT COLLECTED  
BY DISTRICT CLERK****THE STATE OF TEXAS****CITATION**

**TO: FISERV, CIR  
D/B/A FISERV INC  
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D/B/A CSC-LAWYERS INC SERVICE COMPANY  
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CAUSE NO. 18-DCV-249313

LUCREASHA MCKINNEY

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VS.

FISERV, CIR D/B/A FISERV, INC. AND RANDSTAD  
PROFESSIONALS US, LLC d/b/a RANDSTAD  
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240TH JUDICIAL DISTRICT

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**FIRSERV, CIR D/B/A FISERV INC C/O CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INC SERVICE COMPANY  
BY SERVING SUE VERTREES, AUTHORIZED TO ACCEPT**

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I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."

My name is **Corrina Hart**, my date of birth is [REDACTED], and my address is **P.O. Box 141303, Austin, TX 78714**, and **United States of America**. I declare under penalty of perjury that the foregoing is true and correct.

Executed in **TRAVIS** County, State of **TEXAS**, on **March 14, 2018**.

*Corrina Hart*  
\_\_\_\_\_  
Corrina Hart  
PSC10838 EXP 03/31/2020  
Travis County, TX